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12 Attorneys for Ruby Duncan, Eva Northern,  
and Class Plaintiffs Only

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

16      **GREATR NAPA FAIR HOUSING**  
17      **CENTER, a California Not for Profit**  
18      **Corporation, doing business as**  
      **FAIR HOUSING NAPA VALLEY, as**  
      **an individual entity only; et al..**

19 Plaintiffs,

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**HARVEST REDWOOD  
RETIREMENT RESIDENCE, L.L.C.,  
doing business as Redwood  
Retirement/Residence; et al.,**

## **Defendants.**

Case No. C-07-3652 PJH

**JOINT APPLICATION AND  
STIPULATION FOR ISSUANCE OF  
ORDER GRANTING PLAINTIFFS  
LEAVE TO FILE FIRST AMENDED  
COMPLAINT; [PROPOSED] ORDER**

25 Pursuant to Rule 15(a) of the Federal Rules of Civil Procedure, the parties to this  
26 action, by and through their attorneys of record, hereby apply for and stipulate to an  
27 order granting plaintiffs leave to file a first amended complaint. The proposed first  
28 amended complaint is attached hereto as Exhibit 1.

**JOINT APPLIC. & STIP. FOR ISSUANCE OF ORDER GRANTING PLAINTIFFS LEAVE TO FILE FIRST AMENDED COMPLAINT; [PROPOSED] ORDER; CASE NO. 07-3652 PJH**

1 The first amended complaint adds two named plaintiffs and proposed class  
2 representatives, Marie Broman and Al Fournier. The first amended complaint also  
3 clarifies the status of plaintiff Mae Louise Whitaker, who appears on her own behalf and  
4 as the successor in interest to deceased plaintiff Ruby Duncan. There are no new  
5 causes of action.

6 There is good cause to grant this application. First, the parties agree to the  
7 amendment. Second, the proposed amendment will not delay this action, since a trial  
8 date and pretrial deadlines have not yet been set. Third, Fed.R.Civ.P. 15(a) provides  
9 that leave to amend shall be "freely given when justice so requires."

10 The parties have agreed that defendants shall have until December 7, 2007 to  
11 file a responsive pleading.

12 So stipulated.

Respectfully submitted,

**BRANCART & BRANCART  
PROTECTION & ADVOCACY, INC.**

Dated: November 13, 2007.

Lindner

Liza Cristol-Deman  
BRANCART & BRANCART  
Attorneys for Plaintiffs

HANSON BRIDGETT MARCUS VLAHOS &  
RUDY, LLP

Dated: November 13, 2007.

Kurt A. Franklin  
Attorneys for Defendants

**JOINT APPLIC. & STIP. FOR ISSUANCE OF ORDER GRANTING PLAINTIFFS LEAVE TO FILE FIRST AMENDED COMPLAINT; [PROPOSED] ORDER; CASE NO. 07-3652 PJH**

1 [PROPOSED] ORDER  
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3 Based on the joint application and stipulation of the parties to this matter, and  
4 good cause appearing therefor, the Court hereby grants plaintiffs leave to file the first  
5 amended complaint. Plaintiffs are directed to file the first amended complaint on the  
Court's ECF system.

6 Defendants shall have until December 7, 2007 to file a responsive pleading.

7 IT IS SO ORDERED.

8 Dated: November \_\_\_\_\_, 2007.  
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Hon. Phyllis J. Hamilton  
12 United States District Judge  
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JOINT APPLIC. & STIP. FOR ISSUANCE OF ORDER GRANTING PLAINTIFFS LEAVE TO FILE FIRST  
AMENDED COMPLAINT; [PROPOSED] ORDER; CASE NO. 07-3652 PJH